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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/507,466	09/10/2004	Marc Ostermeier	56908(71699)	1259
49383 7590 09/16/2009 EDWARDS ANGELL PALMER & DODGE LLP P.O. BOX 55874 BOSTON, MA 02205				
EXAMINER				
CHEN, SHIN LIN				
ART UNIT		PAPER NUMBER		
1632				
MAIL DATE		DELIVERY MODE		
09/16/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/507,466	OSTERMEIER, MARC	
	Examiner	Art Unit	
	Shin-Lin Chen	1632	

All Participants:

(1) Shin-Lin Chen.

(2) Jonathan Sparks.

Date of Interview: 11 September 2009

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: _____

Part I.

Rejection(s) discussed:

all

Claims discussed:

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Status of Application: _____

(3) _____.

(4) _____.

Time: 11:30 am

/Shin-Lin Chen/
Primary Examiner, Art Unit 1632

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: This interview summary is a result of the pre-appeal brief request for review requested by applicant filed on 8-7-09. Examiner notifies applicant that the 35 U.S.C. 112 first paragraph new matter rejection will be withdrawn in view of the amendment filed 5-8-09. Upon further consideration and in light of the specification, the 35 U.S.C. 112 first paragraph enablement rejection will be withdrawn because the specification doesn't seem to contemplate assembling the modulatable molecule in vivo, and the in vivo use of said molecule is after said molecule have been produced. The 35 U.S.C. 102(b) & (e) and 103(a) rejections are maintained. The claims remain rejected for the reasons of record .